IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.230 OF 2005

Mr.Milind Bhalchandra Nikarege. ...Petitioner.

Vs.

State of Maharashtra & Ors. ...Respondents.

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Mr.S.G.Surana with Mr.Mahesh Pandey for the Petitioner.

Mr.M.M.Vashi for Respondent Nos.7 to 9.

Mr.Milind More, AGP for Respondent No.1 to 4.

Mr.G.D.Utangale for Respondent Nos.5 and 6.

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CORAM : DR.D.Y.CHANDRACHUD, J.

February 7, 2005.

P.C. :

Counsel appearing on behalf of the Petitioner and Respondent Nos.7 to 9 are agreed that without this Court expressing any opinion on the eligibility of Respondent Nos.7 to 9 to participate in the Slum Rehabilitation Scheme, the impugned order of the Slum Rehabilitation Authority

dated 15th April 2004 be quashed and set aside in order that a fresh decision can be arrived at after hearing the Petitioner as well as Respondent Nos.7 to 9. Counsel for Slum Rehabilitation Authority has no objection to taking this course of action. In view of the aforesaid position, the impugned order dated 15th April 2004 is quashed and set aside. The Petitioner and Respondent Nos.7 to 9 shall appear before the Slum Rehabilitation Authority on 14th February 2005 with such material as they may seek to rely upon. The Slum Rehabilitation Authority shall decide the eligibility of Respondent Nos.7 to 9 and pass a fresh order within a period of one week thereafter. The Petition is accordingly disposed of.